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ART. VII.—*Histoire de la Louisiane et de la Cession de cette Colonie par la France aux Etats-Unis de l'Amérique Septentrionale ; précédée d'un Discours sur la Constitution et le Gouvernement des Etats-Unis.* Par M. BARBE-MARBOIS. Paris. 1829.

It is so rare to receive from Europe a work of interest and value on the United States, that we have peculiar pleasure in bringing to the notice of our readers a performance on that subject, sanctioned by such a name as that of the Marquis de Marbois. This gentleman has long been known, both in France and America, for his eminent talents, and the important stations which he has filled. Sixty years ago he commenced his public career, and during a large portion of the period since that time, he has been employed in the service of his country. His name and deeds are intimately blended with the events of the American Revolution. To no person are we more indebted for the good understanding which existed between this country and France after the ratification of the alliance ; for although he acted in a subordinate capacity to that of M. de la Luzerne, the French minister to congress, who was also friendly to the interests of the United States, yet it is well known that Marbois was the principal agent in the most important operations of the embassy. At the close of the war, Luzerne returned to France, and Marbois was left in his place, which he filled till he was appointed governor of St Domingo. At the time of the Directory we find him in Paris among those, who voted against the measures of that body, and who were rewarded for this courageous exercise of their prerogative by a banishment to Cayenne. He remained in exile two years and a half. Under the consulate he was minister of the treasury, and after the second restoration he became minister of justice.

The Marquis de Marbois is now first president of the *Cour des Comptes*, a station of dignity, responsibility, and application, which demands much of his time ; and, notwithstanding his advanced age, he is also one of the most active members of the house of Peers, constant in his attendance, and taking a lively interest in all the political movements of the day. He has nevertheless found leisure for other inquiries, not immediately connected with his pursuits, and by no means common to persons of any rank or profession in the old world. The

fruits are seen in the work which he has just published, and which, we do not hesitate to say, contains a wider knowledge and more accurate views of the government, institutions, progress, and political history of the United States, than any other which has appeared from a European hand. This is not high praise, perhaps, when we consider in what manner these topics, whether through real or affected ignorance, have been usually treated on the other side of the Atlantic. We will therefore add, that, although the author touches upon a great number and variety of subjects, relating to our civil and political condition, we know not how he could have been more accurate in his facts, or just in his reflections, or enlightened in his opinions, even if he had lived among us, and gathered his materials from their immediate sources; and the citizen of the United States must be a very fastidious patriot indeed, who is not charmed with the tone of candor and spirit of liberality, which everywhere pervade his remarks. A few years ago M. de Marbois wrote an account of Arnold's conspiracy, containing such authentic particulars as he had collected in America at the time of that event, and also many judicious observations on the revolutionary history and the government of the United States.

The present work is divided into four parts, the first of which is a discourse on the constitution of the United States, with reflections on its principles, operation, and results. Secondly, a brief sketch of the history of Louisiana, both under the French and Spanish domination, from the time of its discovery till the treaty of cession to the United States. Thirdly, a history of the formation of that treaty by M. de Marbois on the one part, and Mr Monroe and Chancellor Livingston on the other, embracing curious details respecting the motives and designs of Bonaparte in making this cession. Fourthly, an account of the proceedings in taking possession of Louisiana, and a continuation of the history to the end of the last war.

As the third part is the one upon which the the author lays the most stress, and is indeed the main purpose of his book, we shall confine ourselves chiefly to that head. That our readers may see, however, in what manner an enlightened foreigner and a peer of France is disposed to view our political system, we shall select a few passages from his discourse on the constitution and government of the United States. He begins with an analysis of our great political charter, and en-

ters into a concise exposition of its principal features in such a manner as to show, that he has not only acquainted himself with the theory and form of this instrument, but has reflected deeply on its principles, examined its internal structure and movements, and watched its effects.

‘All the affairs of the republic,’ says he, ‘are brought as soon as practicable to the knowledge of the people, without any exaggeration of the favorable condition of some or concealment of the adverse state of others. And why, indeed, should Congress and the administration concert together to deceive the public or to conceal from them untoward truths? They are themselves part of this public.

‘Resolutions which concern the state are never adopted till after the most mature deliberation. They are determined on in the presence of the citizens, and during the discussion of them, those who are interested in the result seldom fail to make known their opinions by publications which the government never disregards. Publicity only incommodes those who would wish to make their private interest prevail over that of the public. When the law is once promulgated, no one would dare to prevent its going into effect or to elude it.

‘The history also of every day cites at its bar the Presidents and other rulers, and does not await their death before judging them. Their acts are public; posterity already exists for them, and the powerful, as well as the weak, are disgraced or praised while they are still living.

‘The two chambers profess the same political doctrines. Nothing in the tendency of their speeches distinguishes the one from the other. They are both animated by a desire to render their country happy. The deliberations of the Senate are, however, the most conspicuous for calmness and gravity, and those of the Representatives for warmth and vivacity. There is a cause for this difference. The members of the Senate are in office for six years, the Representatives for only two. The latter are therefore the most anxious to bring themselves into notice.

‘Congress, in its uniform course, is always consistent with itself, and its policy does not vacillate. In order to remain free from those internal agitations from which the most happy country is not always exempt, it practises constantly and sincerely the maxim, that “the end of government is the happiness of society.”

‘There is not henceforth any fear of the triumph of despotism over liberty; the old nations of Europe would never have experienced this calamity, if, instead of simple traditions subjected to human and variable passions, at the will of an ambitious chief and of an ignorant multitude, they had had constitutions written by sages and confided to the vigilance of all the citizens.

‘It is thus that the fundamental laws of the different states of the union are preserved. The sincerity and clearness with which they are expressed remove every opportunity for sophistical interpretations, and their legislators have been careful not to introduce any obscurity of which advantage may one day be taken with a view to an arbitrary explanation. If there are some differences in the constitutions, they exist only in the external forms of the government; they have justice and equality for their foundation; that which is just at Boston, is so at New Orleans.

‘In every township or village, there are some well instructed in the true interests of their country, and if to the intelligence, which is required of those who are engaged in public affairs, they unite the virtues of the citizen, they will infallibly be raised to the first employments. Every man can be called to the highest functions. The great Washington had been a surveyor, Franklin a journeyman printer, Jefferson a planter. Magistrates, chosen by those whom they are to govern, are easily obeyed. The scarcity of crimes and of punishments is the proof as well as the consequence of the docility of these people to the laws.

‘A long peace does not weary them. They do not fear that idleness will render the youth seditious. To undertake a war in order to occupy them, to render them less numerous, or upon futile pretences, would seem to them impious and could not possibly occur. They have at length discovered the solution of this difficulty, proposed several centuries since to the reflection of philosophers and to the experience of statesmen;

‘“To render communities happy with the least constraint and at the least expense possible.”’ pp. 40—43.

After speaking of the revenue, commerce, manufactures, and internal improvements of the United States, he adds,

‘Such, in its political economy, is the conduct, such are the maxims of a new republic, strong in its present greatness, and of so rapid a growth, that every year its friendship becomes more desirable, its enmity more to be feared. It is no longer one of those republics by name, to which was refused an equality with kings, and whose ambassadors were, as if by tolerance, admitted after those of crowned heads. An attempt to assign to this republic a different rank from other powers and to subject it to another law of nations would be made in vain; as independent and sovereign as the monarchs on their thrones, it has on every occasion maintained an equality with them, and without doubt it will be sufficiently wise never to aspire to elevate itself above them.

‘If from the sketch of the condition of the general confederation, we pass to that of the constitutions of the separate states and

of their relations with Congress, we see with admiration these great bodies move without collision, without violence, and without any difficulties arising between the superior and subordinate governments of a nature to lead to a rupture.

‘The legislative, executive, and judicial authorities in the several states are invested with all the powers which have not been delegated to Congress. Every state legislates in civil and criminal matters. During the fifty years that this order of things has existed, its results have been successful. The confederation has been enlarged, and the power of Congress increased at the same time. Some states have voluntarily limited their extent and their population, and abandoned vast territories where other states have been formed.

‘They thus expressed themselves in making these cessions ; “ We renounce our rights over these lands, because, after the protection of Providence, nothing can be better adapted to strengthen the union and to advance its honor, power, and dignity, than this proof of a general good understanding.” Those wars which fanaticism, ambition, cupidity, excite among other nations, that distrust which torments them and makes them suppose that tranquil happiness cannot belong to man, will never trouble that which the United States enjoy ; not because individuals in that country are free from human passions, but because the public councils are so formed that their decisions are always dictated by the general interest. A country which will be greater than Europe, and which is composed of many different states, enjoys a peace which promises to be perpetual and to accomplish the bright vision of a friend of humanity.

‘Is it unreasonable to hope that this spirit of moderation will one day penetrate the councils of those monarchs whose states might form several kingdoms ? Is it not possible that wise ministers may say to their masters, “ Our eyes and our arms cannot extend twelve or fifteen hundred leagues ; divide your empire, there will always be a place for you ; the people will be more happy ; you will be more tranquil ; instead of being the terror of your neighbors, you will excite the admiration of the world and be its benefactor.” ’

‘It has been for a long time held as a maxim, that elective magistracies of temporary duration are suited only to states of limited extent and small population. The experience of the United States has proved the incorrectness of this impression. If a bad selection happens to be made, the remedy is in reelection, and the trial of half a century has proved that it is an efficient one. Thus the example of the United States presents itself, whenever the object is to prove that liberty is in every respect good and that it can

never be hurtful. It puts in despair all those, whom this liberty alarms, and who cannot at this day deny its benefits.

‘Judges, senators, ministers are not, however, more wise, more skilful, in these states than in many others. They have weaknesses and prejudices, but they must necessarily have them to a less degree than those who are elevated to magistracies by chance, intrigue, or bribery. They have also an advantage not possessed by men elsewhere placed at the head of affairs. The laws and the publicity of their acts, submitted to the censure of every one, render it necessary for them to be always just, always impartial; not to give employments except to the most worthy, and never to sacrifice the good of the state to private passions or to the interests of individuals. A sincere integrity can alone insure the confidence of the public, ever ready to distinguish truth from falsehood. Knaves and hypocrites would be soon unmasked. Even though accident should have elevated to an important post a vicious individual, he would be obliged to govern in the same manner as one who was excellent by nature, or he would be unable to preserve his office.’

‘The display of all these advantages is not a censure on the old governments, which, formed many centuries since upon other plans, can only be reformed gradually and after mature consideration. We have reason, indeed, to be astonished at the improvements which have been introduced into these last mentioned states, in spite of the many obstacles which they have to encounter. At the same time let us not hesitate to acknowledge, that if the Americans have profited by the lights and wisdom of Europe, she will receive in her turn similar benefits from America. Her example, and recent facts, have taught us that liberty does not diminish the vigor and energy necessary for execution. If it does not enervate republican governments, there is no reason to fear that it will become a principle of weakness in limited monarchies. Already, in spite of resistance from all quarters, laws are improved, and wise monarchs have acknowledged that the throne is firm only when it is established on the united interests of the prince and the people; that placed upon any other foundation, it is constantly liable to be shaken by internal commotions and by attacks from without.’ pp. 47, 49, 52, 64.

The author concludes his observations on the constitution and government of the United States in the following words.

‘The population increases in a degree which surpasses all conjectures. The citizens enjoy an entire liberty of conscience, and nowhere are families to be seen more sincerely religious. Political equality is perfect among them, but it does not exclude the

consideration and respect which are the usual attendants of personal merit and services.

‘To what is this beautiful and advantageous condition of things to be attributed? To the goodness of the laws, and to the wisdom of the government.

‘We have seen Bonaparte overturn and raise up thrones at his pleasure. If these sportings of his prodigious power had for their objects the degradation of royalty, he was thoroughly deceived. It is very true that he has irreparably destroyed that great mystery of power, which gave to monarchs a supernatural and almost divine existence. We now know that they are men like ourselves, but nothing has been capable of taking from them a proud prerogative,—a privilege, the loss of which would have carried with it their ruin. It is the obligation of being just, virtuous, and good under the penalty of being incapable of reigning; and it is thus that this maxim, so often false, has become true; “Kings can do no wrong.”

‘In writing this Discourse it has often occurred to me, that it might seem only to contain allegories imagined by timid moralists to soften the severity of their counsels. Such has not been my intention. How is it possible to assimilate the situation of America with that of Europe? How can we pretend to treat in the same manner a country, where vast and fertile territories will offer themselves for more than a thousand years to the industry and wants of man, and our Europe, where five families out of six are without property? I have desired, however, I say it frankly, I have desired, that it should be admitted that the differences are not great between the principles of monarchies and those of republics.

‘The prince, whether called king, magistrate, or people, can henceforth reign only by the aid of respect for political liberty. There cannot be mischievous rulers in the United States, and it appears to me that there can no longer be mischievous kings in Europe. The love of the people for good kings is as naturally formed, as that of children for their parents. The citizens of a republic do not love their rulers in the same manner; but they have confidence in their wisdom, and are attached to the constitution, of which they every day experience the benefits. It depends now upon the princes who reign over the nations of Europe to unite all these enjoyments. They will then taste the highest happiness which can belong to man upon earth, that of rendering happy numerous generations.’ pp. 98—100.

Before we come to the Louisiana Treaty, some preliminary remarks are necessary to lead the way to that subject. The cession by France of Louisiana to Spain in 1763, had been considered in all the mercantile cities of the former country,

as essentially impolitic and injurious to the interests of navigation in the French Antilles, and it was a general desire that a suitable opportunity should occur for recovering that colony. When Bonaparte took the lead of affairs, it was one of his first cares to renew a negotiation with Spain on this subject ; for he had the wisdom to perceive, that the forced contributions which he imposed on Europe could never hold the place of the immense tribute, that would be voluntarily rendered to the industry and navigation of a commercial people. Besides, this youthful, and ambitious, and successful warrior had another purpose, which was to make himself preponderant in America. The possession of Louisiana was an essential preliminary. He had also at this early period yet another project, which he attempted to realize afterwards, namely, a league of all the maritime powers against the pretensions of England and her empire over the sea. 'France,' said he, 'will never endure that inert existence, that stationary tranquillity, with which Germany and Italy content themselves. The English reply with disdain to my offers of peace ; they have protected, and even freed and armed, the rebel blacks of St Domingo. Be it so, I will make St Domingo one vast camp ; I will have there an army always ready to carry war into their own colonies.' These visionary projects and warlike menaces were gradually abandoned, and Bonaparte himself seemed desirous of a general peace. The battle of Marengo and its fortunate consequences gave him an ascendancy, which he knew how to turn to his advantage ; and the powers of Europe, weary with the disasters and sacrifices of war, were not reluctant to accord terms of peace favorable to France.

At this juncture the first consul commenced a negotiation at Madrid, in which he found it not difficult to convince the Prince of Peace, that Louisiana restored to France would become a barrier to Mexico and a guarantee for the tranquillity of the Gulf. It was never the design of Spain to profit by the navigation and agriculture of Louisiana. She had acquired this territory on the principle adopted by barbarous nations, that their frontiers are not safe except when protected by vast deserts and solitudes, which separate them from neighboring nations. It was thus, that one of the most beautiful and fertile regions of the world was to be consigned to the perpetual dominion of savages and wild beasts, to prevent the people of the United States from breaking into the equally desolate soli-

tudes of Mexico ; and it is thus, that the Emperor of China at this day keeps off the wandering hordes of Siberia from his wandering hordes of Tartary, and no doubt values himself, as much as did the kings of Spain, upon his wisdom and policy in these measures of protection.

It seems, however, that the Prince of Peace, and the king his master, had less fear of republican Frenchmen than of republican Americans ; for on the 1st of October, 1800, a treaty was concluded at St Ildephonso, by which 'his Catholic Majesty promised and engaged to retrocede Louisiana to the French republic,' six months after certain conditions should be complied with on the part of France. It was also made a condition by Spain, that in case France should be disposed at any future time to retrocede Louisiana, the preference should be given to Spain. It reflects not much credit on the faith of nations, that little respect was afterwards paid to either of these conditions.

War still existed between France and England, and it was of course the policy of Bonaparte to keep the treaty of St Ildephonso a secret. To this end it was necessary, that he should avoid taking possession of Louisiana, for a maritime peace was absolutely essential to enable France to hold that colony. With her naval superiority, England would have found it an easy acquisition. And in any case, had this treaty been known, it would have thrown fresh embarrassments in the way of a peace with England, which the first consul at that moment deemed important for his interest. The cabinet of St James at last listened to his proposals. The negotiation was commenced at London, and on the 27th of March, 1802, peace was finally concluded at Amiens.

There was no reason for longer concealing the treaty of St Ildephonso. Towards the close of the year it was known to Congress, and it was understood that France was about to take possession of Louisiana. This excited much alarm in the Western states, whose very existence depended on a free navigation of the Mississippi. Difficulties of a serious nature had recently occurred with the Spaniards, and the alarm of the people had raised apprehensions, from which even Congress was not free, that these French neighbors would be even less accommodating than their predecessors. By a treaty concluded between the United States and Spain on the 27th of October, 1795, the right of *entrepôt* at New Orleans had been

granted to the United States for three years. The term expired, but the Spanish intendant did not interrupt the exercise of the right, which continued by tacit consent. All at once, however, the intendant, Morales, conceived the notion, without any advice from the Spanish government, that such a privilege ought not to continue any longer without some equivalent, and on the 16th of October, 1802, he issued a proclamation declaring it to have ceased.

This act spread consternation among the inhabitants of the Western states. Complaints and petitions flowed in from every quarter to Congress. The news of the cession to France, coming at the same moment, redoubled the inquietude, for it was inferred that the intendant had acted in conformity to orders, and that France was to take possession of the colony in its present condition, and thus perpetuate the prohibitive system, which would lead to the ruin of the West. This plan was supposed to have been concerted between the governments of France and Spain, and it was believed that France was about to send an army to ensure its execution. The ferment became general; the strong motives of personal interest kindled and nourished the flame in the West; the spirit of party, ever busy in the work of discord and desolation, wafted it over the mountains and carried it swiftly to the middle and eastern states. The contagion entered the halls of Congress, and even in the senate chamber there was a loud talk of war, of rights encroached upon, dignity degraded, and strength to repel and restore. 'Let us not wait the arrival of the French,' cried an eminent senator; 'and since a solemn treaty has been violated, let us not hesitate to occupy the places, which ought to be ours. The people of the West are ready; and it would be an excess of simplicity to suppose that New Orleans will be spontaneously ceded to us, or even in virtue of a treaty with the first consul.' Such was the state of excitement, which, for the moment, had grown out of the hasty act of the Spanish intendant at New Orleans; but of which, it afterwards appeared, neither the Spanish nor French government had any knowledge.

There were yet other causes, of a deeper nature, which tended to keep alive the irritation. During the mad career of the Directory, in their attempt to govern what was strangely miscalled the French Republic, depredations had been committed on our commerce, and insults offered to our flag.

Commissioners were sent out to procure reconciliation and redress, but without avail. The preparations in the United States for a French war, and the state of public feeling at the time, are well known. The consular government began upon different principles, and showed a disposition to reconcile the difficulties between the two nations. A convention was accordingly signed on the 30th of September, 1800, in which it was stipulated, that a full indemnity should be paid for all prizes that had unjustly been made of our vessels. A minister had been sent out, under the expectation of a prompt compliance with the conditions of the convention. He was at first flattered with hopes of success, and wrote back accordingly to the government. His hopes were not realized; to his demands he received only neglect or vague replies, as disrespectful to the dignity of the minister, as they were dishonorable and unjust in the French cabinet. Naturally dissatisfied with such a glaring breach of good faith and equity, the American government thought it time to rouse from their moderation, and speak in a tone better suited to the exigency of the case. 'The American minister at Paris,' says the Marquis de Marbois, 'had received orders to make known this dissatisfaction, and his communications were drawn up with a firmness to which Bonaparte was not accustomed. If any of the continental powers of Europe had dared to express themselves in the same manner, an invasion of their territory would have been the consequence. The Congress, separated by the Atlantic ocean, might show itself without danger in a menacing attitude, for the first consul took good care not to give evidence of a resentment, which would only have manifested his weakness.' Yet Mr Livingston's letters remained unanswered; our merchants, who had lost their property, became impatient, and murmured against the government. Mr Livingston suggested the cession of New Orleans; he also proposed, that France should cede to the United States the vast regions to the north of the Arkansas river and the right bank of the Mississippi. All these overtures were equally neglected, and in his official and private correspondence with the government and his friends at home, he gave it as his opinion, that New Orleans could not be obtained except by force of arms. The tenor of this correspondence, as well as the recent events in Louisiana, no doubt contributed to fix the resolution of the war party in Congress.

Mr Jefferson had formed an opinion on this subject different from that of the advocates of war, or even of the American minister in Paris. He resolved to make another effort towards a negotiation, and to send Mr Monroe on a special mission for that purpose. 'The first consul,' says the author, 'informed of the contents of Mr Monroe's public instructions, believed also that the president had entrusted it to the prudence of the plenipotentiary to enter into more extensive stipulations relative to the projected acquisition. The possibility of a war between France and England had suggested to Mr Jefferson the measures which he had taken, and it was at the distance of two thousand leagues from Europe, that this statesman foresaw the rupture.'

A war was in fact on the eve of breaking out between the two rival powers. In England the treaty of Amiens had never been cordially received by all parties. Suspicions, and jealousies, and ill blood still existed. The ministry were divided, and the sincerity of the leaders in concluding the peace of Amiens had been doubted. On the other hand,

'It has been pretended that the first consul placed at first little value in its continuance, and only regarded the peace as a truce. He pursued without relaxation his designs in Upper Italy, and united to France under equivocal denominations those countries so long contested between it and Austria. When these changes and those which he was effecting in Holland and Switzerland had given him a great preponderance in the affairs of Europe, he felt that in order to strengthen this new order of things, and to exercise this vast supremacy, he had need in his turn of preserving peace. But he wished it on condition of being in some sort the universal dictator; and he was so much the more removed from every concession, that the revocation of one of the acts of his power would have been followed by demands on the part of his rivals for the revocation of all the others.

'Like all conquerors, this great captain had placed his happiness and his glory in transporting from one country to another a warlike youth, in putting masses of population in movement, in astonishing the world by the rapidity and success with which he executed the most extensive and most complicated designs. But there was then reason to believe, that these convulsions of empires had less attractions for him; he spoke of them with a sort of disdain, and seemed to carry the prodigious activity of his genius into works which in peace embellish society, and give to nations tranquil enjoyments.

'To give to France better civil laws, to meditate in advance

the reform of codes, to reëstablish order in the finances, to reanimate commerce and industry,—such were the objects to which, assisted by skilful counsellors, he consecrated his time, constantly prolonging his labors to midnight. If with these generous sentiments he had thought that liberty under good laws was the most noble present which he could make to men, the age in which we live would be called by his name. Diverted for a period, which was indeed of short continuance, from the designs of a continental war, he did not conceive that his republic could be flourishing without a commercial marine, sustained and protected by great naval forces. He often repeated the following maxims; “Without the freedom of the seas there is no happiness for the world. But, in order to obtain this liberty, it is necessary that the continental powers should impress the English with serious fears for their commerce. Instead of opposing to their maritime force inefficient fleets, instead of constructing vessels of war, which sooner or later increase the English navy, we must, on the first appearance of hostilities, arm privateers, which, from all the ports of the continent of Europe, will go in pursuit of merchant ships, and will be protected by their number, and even by their dispersion. The English cannot have recourse to reprisals, for they have taken possession of almost every branch of commerce. If they leave us some colonies, it is in order to exhaust us in vain expenses for their preservation, and to render us, in spite of ourselves, disposed to peace, through fear of losing them. Finally,” added he, “the liberty of the seas must be odious to the English, because it would reduce them to their natural share in the general prosperity.” pp. 268—270.

It is not to our purpose here to narrate the causes or progress of the new dissention between France and England. It is enough that it happened just at this juncture, and paved the way for the treaty which immediately followed, ceding Louisiana to the United States. M. de Marbois says, that the first consul, although resolved not to yield any point, regretted in the first stages of the contest, that he could not escape with honor from the embarrassment. But as soon as he found war inevitable, ‘he pretended, according to his custom, that this rupture was a gift of fortune, and that had it arrived two or three years later, the vigor of his armies would have been exhausted by repose.’ The following anecdote is curious and characteristic.

‘Bonaparte did not subject himself, like other princes, little initiated in the mysteries of their own policy, to treat with ambassadors and envoys through the medium of a minister. He con-

versed with them *tête-à-tête*, or even publicly, and often employed with too little reserve, the advantage which he possessed of speaking in the name of a powerful nation. Some days had elapsed since the date of the two messages of the king of England. The respective ambassadors of the two countries were not, on that account, less assiduous in going to audiences and formal receptions. At Paris these assemblies were held at the Tuileries; they were numerous attended, and the foreign ministers mixed in the crowd of courtiers. One evening the first consul was seen to enter, surrounded by his usual retinue; he appeared anxious and musing. He shortened the circuit which he was in the habit of making in the saloon, and approaching the ambassador of England, said to him in a loud voice, "You are then determined on war?" "No," replied Lord Whitworth; "we know too well the advantages of peace." To these measured words, the first consul, without being restrained by the presence of many attentive and inquiring personages, replied with vehemence, "We have been waging war during fifteen years; the storm thickens at London, and appears to threaten us. Against whom do you take precautions? For what are your armaments? Is it that another war of fifteen years is desirable? I do not arm. My good faith is manifest. Full of confidence in a treaty, the ink of which is not yet dry, I have not listened to any malevolent rumor, and have banished that uneasiness which would render peace as detestable as war. I have not a single ship of the line armed in my ports. I have shown no hostile dispositions. The contrary supposition is an egregious imposition. I am taken unawares, and I glory in it. If the English are the first to draw the sword, I will be the last to sheathe it. If we must veil with black crape solemn treaties, if those who have signed the peace desire war, they must answer for it before God and man."

'It was by these haughty menaces, rather than by good reasoning, it was by this rough and unmethodical eloquence, that Napoleon intended to establish his claims, or cause that to be apprehended which he had not yet entirely resolved on.' p. 276.

To this anecdote may be joined another of a similar description. They are both the more interesting, as it may be presumed that M. de Marbois, being one of the ministers, was present and heard what he relates. He has just been speaking of the causes of the approaching war, and the general points of difference between the contending powers, and adds,

'These great topics were discussed at the Tuileries, at one of those private conferences, in which the first consul, carried away by the abundance of his ideas, exposed with energy the wrongs

done by his adversaries, without allowing that he had committed any himself.

“The principles of a maritime supremacy,” said he to his counsellors, “are subversive of one of the noblest rights which nature, science, and genius have insured to man; it is the right of traversing the seas of the whole world with as much liberty as the bird who cuts the air; of participating in the use of the waves, winds, climates, and productions of the globe; of bringing together, by a bold navigation, nations separated since the creation; of carrying civilization into countries that are a prey to ignorance and barbarism. See what England wishes to usurp over all other nations.”

‘One of the ministers present could speak to him freely. He said, “Have not the English as many motives to fear a continental supremacy, and to be alarmed at your great influence over all Europe?” He appeared to reflect, but instead of replying to so direct an observation, he consulted the extracts which he caused to be made of the debates in the English House of Commons; he there read a passage with which he appeared very much irritated. It was from the speech of one of the most distinguished members of parliament. “France,” said this speaker, “obliges us to remember the injury which she did us twenty-five years ago, in allying herself with our revolted colonies. Jealous of our commerce, our navigation, our opulence, she wishes to annihilate them. The undertakings of the first consul at the termination of a peace too easily made, oblige us to appeal anew to arms. The enemy appropriates to himself, by a dash of the pen, territories more extensive than all the conquests of France during several centuries. He hastens his preparations. Let us not wait till he attacks us; let us attack first.” “Now,” resumed the first consul, “propose your theories and your abstract propositions, and see if they can resist the undertakings of these usurpers of the dominion of the sea. Leave commerce and navigation in the exclusive possession of one people, and the globe will be subjected by its arms, or by that gold which occupies the place of armies.” He afterwards added these words, in which are found the first sign of his policy respecting the United States, and which a sort of inaccuracy renders still more energetic. “To free nations from the commercial tyranny of England, it is necessary to counterbalance it by a maritime power which may one day become its rival; this is the United States. The English aspire to dispose of all the riches of the world. I shall be useful to the entire universe, if I can prevent their ruling America, as they rule Asia.” pp. 280—282.

As soon as Bonaparte became convinced that war was inevitable, he turned his thoughts towards the colonies. On

the continent he confided in his own strength for success ; but his navy was in no condition to compete with that of England, and the colonies could only be defended by a naval force. From that moment he hastened to change his policy relative to Louisiana and the United States. On the 24th of March, 1803, we find Talleyrand, after a long silence, writing to Mr Livingston in a tone strangely altered from anything which this minister had before been so fortunate as to receive from an official source. Talleyrand is surprised that the pacific dispositions of the French republic towards the United States should have been suspected, and assures him that the affection of France for her old friends is unaltered. He alludes to the expected arrival of Mr Monroe, and says he will be received with great pleasure by the first consul, who hopes his mission will terminate to the mutual satisfaction of both nations. It was evident that Louisiana must be lost to France. The object of Bonaparte was to turn it to his own advantage, and prevent its falling into the hands of England. The following description of an interview between him and two of his ministers, explains the subject so fully, and is written in so graphic and interesting a manner, that our readers will be pleased with perusing it in detail. One of these ministers was M. de Marbois himself; the other had likewise been in America, and was well acquainted with the affairs of the colonies.

‘ On the 10th of April, 1803, Easter Sunday, after having given his time to the solemnity of the day, and to the demands of ceremony, he called those two counsellors, and speaking to them with that vehemence and passion with which he was especially carried away in political affairs, said, “ I know the whole value of Louisiana, and I have wished to repair the fault of the French negotiator who abandoned it in 1763. Some lines of a treaty have restored it to me, and I have scarcely recovered it, when I must expect to lose it. But if it slips from me, it will one day cost dearer to those who oblige me to deprive myself of it, than to those to whom I wish to deliver it. The English have successively taken from France, Canada, Isle Royal, Newfoundland, Nova Scotia, the richest parts of Asia. They are at work to agitate St Domingo. They shall not have the Mississippi, which they covet. Louisiana is nothing in comparison with their acquisitions throughout the globe ; and yet the jealousy which the return of this colony under the French dominion causes them, proves to me that they desire to get possession of it, and that it is thus that they will commence the war. They have twenty vessels in the Gulf of Mexico,

they overrun those seas as sovereigns, whilst our affairs in St Domingo grow worse every day since the death of Le Clerc. The conquest of Louisiana would be easy, if they only took the trouble of making a descent there. I have not a moment to lose in putting it out of their reach. I do not know whether they are not already there. It is according to their practice, and were I in their place, I would not have waited. I wish, if there is yet time for it, to take from them even the idea of ever possessing the colony. I think of ceding it to the United States. I can scarcely say that I cede it to them, for it is not yet in our possession. If I leave ever so little time to our enemies, I shall only transmit an empty title to these republicans, whose friendship I seek. They only ask of me one town in Louisiana; but I already consider the colony as entirely lost, and it appears to me that in the hands of this growing republic, it will be more useful to the policy and even to the commerce of France, than if I attempt to retain it. Tell me each of you his opinion.”

M. de Marbois was the first who replied, and he reports his answer in the following terms.

“We cannot hesitate to make the sacrifice of that which is about to escape from us. The war against England is inevitable. How can we defend Louisiana against that power with a naval force so inferior? The United States, justly dissatisfied with our proceedings, will not offer us a single harbor, not even an asylum, in case of a reverse. They are, it is true, on the eve of a reconciliation with us; but they have a difference with the Spanish government, and they menace New Orleans, of which we shall not have even a momentary possession. At the time of the discovery of Louisiana, she had neighbors as feeble as herself; but they are now powerful, and she is yet in her infancy. The country is hardly inhabited; you have not there fifty soldiers. Where are your means for sending garrisons thither? Can we restore the ruined fortifications, and construct a chain of forts along a frontier of four hundred leagues? If England shall allow you to attempt these things, it is because they drain your resources, and she will, with a secret joy, see you exhaust yourself in vain efforts, which will be profitable only to her. You will send out a squadron; but while it is crossing the seas, the colony will succumb, and the squadron will be in peril on its return. On the north, Louisiana is open to the English by the great lakes, and on the south, if they only appear at the mouths of the river, New Orleans will immediately fall into their hands. Of what consequence is it to the inhabitants to what power they are subject, if their country is never to cease to be a colony? This conquest will be yet more easy to the Americans; they will

reach the Mississippi by many navigable rivers, and to be masters of the country it will be only necessary for them to enter it. One of these two neighbors increases every day in population and industry; and the other has maritime means sufficient to make any invasion by which her commerce may be increased. The colony has existed for a century, and in spite of efforts and sacrifices of every description, the recent examinations attest its feebleness. If it receives a new increase and importance after it becomes a French colony, it will contain, even in its prosperity, a germ of independence, which will not be tardy in developing itself. The more it flourishes, the less chance shall we have of preserving it. Nothing is more uncertain than the future lot of the European colonies in America. The exclusive right which the mother countries exercise over these distant establishments, is becoming from day to day more precarious. The people feel humbled in being dependent on a small country in Europe, and will free themselves the moment they are aware of their strength.

“The French have attempted to establish colonies in different parts of the American continent. Every where their attempts have been abortive. The English are patient, laborious; they do not fear the solitude and silence of countries newly settled. The Frenchman, spirited, active, seeks society; he loves to associate with his neighbors. He makes voluntary efforts, but on the first disappointment he quits the spade and axe for the chase.” Here the first consul, interrupting the discourse, asked how it happened, that the French, incapable of succeeding in continental colonies, had always made progress in the Antilles, “It is,” replied the minister, “because the slaves do all the labor. The whites, soon exhausted by the climate and heat, have sufficient vigor of head and body to direct them.” “I am again undecided,” said the first consul, “touching the maintenance or abolition of slavery. By whom is the land cultivated in Louisiana.” “Slavery,” replied the minister, “has peopled Louisiana with half of its inhabitants. An inexcusable imprudence has been committed in suddenly granting to the slaves of St Domingo a liberty for which they were not prepared. The blacks and whites have been the victims of this great fault. But without examining, at present, in what manner this evil can be repaired, let us recollect, that the colonies where slavery exists are rather chargeable than useful to France. In the mean time, nevertheless, let us take care not to abandon them; they have not the means of governing themselves. The creoles are French, they have been encouraged in those modes of culture, and in that system, which at this day operates to their injury. Let us save them from new calamities. It is for us to provide for their defence, the administration of justice, and the cares of government. But to what good

end would you involve yourself in greater embarrassments in regard to Louisiana? You would make the colonial laws incessantly at war with those of the mother country. Of all the evils which afflict the human species, slavery is the most detestable; but humanity itself exacts great precautions in the application of a remedy, and you cannot apply it if Louisiana is restored to France. The governments still partially resist emancipation; they tolerate in secret what they condemn ostensibly, and they are themselves embarrassed with the false position in which they are placed. The general sentiment is favorable to emancipation; it is in vain for the colonists and planters to oppose a movement which public opinion approves. The occupation of Louisiana, peopled with slaves, will cause us greater expense, than it will afford profit.

“But there is another kind of servitude, of which that colony has lost the usage, which is that of a monopoly. Do you hope to reestablish this in a country bordering on another, where commerce enjoys the greatest liberty? The reign of prohibitive laws is at an end, when a numerous population has resolved to shake off their yoke. Besides, the products so long exclusively possessed by some commercial nations, have ceased to be privileges. The sugar cane and coffee tree are now everywhere cultivated at a small expense. Every people expects to cultivate on its own account the articles peculiar to its territories and climate. There are on the globe, between the tropics, regions a thousand times more extensive than our isles, and susceptible of the same culture. A monopoly is impossible when the products are so multiplied, and the Louisianians will never suffer their commerce to be trammelled. Would you, with arms in hand, subdue resistance? The malecontents will find support in the neighborhood, and you will render France an enemy to the United States, with whom reciprocal interests ought to unite us for centuries. Confide not in the attachment of the Louisianians to your person. They render homage to your renown, and to your exploits, but the love of a people is for those princes only whom they regard as the authors of their felicity; and whatever may be your solicitude, this felicity will be for a long time, and perhaps for ever, sterile. The colonists have lost the remembrance of France; they are a mixture of three or four nations, and hardly regard Louisiana as their country. Laws varying continually, chiefs who know not those whom they govern, and who are not known by them; perpetual changes made according to the interests of the mother country, or the inexperience of ministers; the constant danger of becoming a party in quarrels to which they are really strangers,—these are the causes which, for a hundred years, have extinguished in their hearts every sentiment of affection towards their masters, residing

two thousand leagues from them, and who barter or transfer them as a commodity of traffic. For the existence of a country and citizens, it is necessary that the sentiment of well-being should be joined to the certainty of its continuance. The Louisianians, in learning that they are united to France, will say, *This change will be of no longer duration than the others.* Citizen consul, having by one of the first acts of your government made your intention to give this country to France sufficiently manifest, should you now cease to keep it, there is no person who will not be satisfied that you have yielded to necessity; and shortly our merchants will discover that Louisiana, thus freed, offers them a better chance of profits, than Louisiana subjected to a monopoly. Commercial establishments are preferable at this day, to colonies, and even in default of these, it is best to let commerce take care of itself.” pp. 287—293.

It was next the other minister's turn to express his views of the subject, which proved to be entirely opposite to those just advanced.

“We are as yet at peace with England,” said he; “a colony has just been ceded to us; it depends on the first consul to preserve it. Wisdom will not counsel him to abandon, through fear of a doubtful danger, the most important establishment which we can form beyond the limits of France, and to despoil ourselves of it without any other cause than the possibility of a war. It would be better that it should be taken from us by force of arms. If peace is maintained, the cession can never be justified, and this premature act of an ill founded inquietude will be the subject of the most lively regret. On the contrary the preservation of it will be to our commerce and navigation of inestimable value, and in our maritime provinces a subject of universal joy. The advantages which we have derived from the colonies are present to all minds. Ten flourishing cities have been created by this commerce; the navigation, the commerce, the luxury which embellish Paris, are the effects of colonial industry. There can be no marine without colonies; no colonies without a powerful marine. The political system of Europe preserves itself only by the resistance skilfully combined of many against one. This resistance is necessary as well by sea as by land, if we would not submit to the tyranny of a universal domination of commerce, and the loss of the immense advantages of a free navigation. You will not admit, you will not acknowledge, that England is sovereign mistress of the seas, that she is there invulnerable, and that no one can possess colonies except by her good pleasure. It is not for you to fear the kings of England. If they seize Louisiana, as some pretend to fear, Hanover will be immediately in your hands as the

price of a restitution. France, deprived of her marine and her colonies, is despoiled of half her splendor and a great part of her force. Louisiana will indemnify us for all our losses. There exists not on the globe a single port, a single city, susceptible of becoming so important as that of New Orleans; and already its vicinity to the United States has made it one of the most commercial in the world. The Mississippi brings to its doors the contributions of twenty other rivers, many of which surpass in grandeur the most beautiful streams in Europe. The country is known, the principal discoveries have been made, and expense has not been spared. Spain has paid a large amount of it. Forts exist, the soil is fertile and suited to rich productions, which it already yields abundantly. Other parts require only cultivation; and this colony, open to the activity of the French, will soon remunerate them for the loss of India.

“The climate is the same as that of Hindostan, and the distance is not more than a quarter as great. The navigation to the Indies in doubling the Cape of Good Hope has changed the direction of the commerce of Europe, and ruined Venice and Genoa. What will it be when a canal shall one day be cut across the Isthmus of Panamá, and connect the two oceans? The revolution in navigation will then be more extraordinary, and the circumnavigation of the globe will be more easy than the long voyages which are now made going and returning. Louisiana will be in the middle of this new route; and it will be acknowledged that its possession is of immense importance.

“The country which pertains to us is without limits, and the savages have only an imaginary right to it. They wander over the vast deserts with their bow in hand in pursuit of wild beasts. But the social state requires possession, and these strolling hunters are not proprietors. The savage has a right only to subsistence, and this we can provide for him at a small expense.

“All the productions of the Antilles are suited to Louisiana. This variety of products has already introduced large capitalists into countries for a long time deserted and desolate. If we are obliged to renounce St Domingo, let us retain Louisiana in its place. Consider also the evils which will follow, if this country becomes our rival in productions, of which we have for so long a time enjoyed the privilege. Attempts have been made to introduce the vine, the olive, and the mulberry tree; and these attempts, which Spain has not been able to prevent, have but too well succeeded. If the colony becomes free, it will be necessary for Provence, and our vineyards, to be prepared for the rivalry of a country new and without limits. If, on the contrary, it is subjected to our laws, every branch of agriculture injurious to our interests will be prohibited.

“ It is necessary, even for the advantage of Europe, that France should be rich. As long as she has divided with England the commerce of America and Asia, the princes, the cabinets, which have consented to be subsidized, have profited by the enhanced prices which one has imposed upon the other. What a difference to all, if this competition should cease to exist, and if England alone should regulate this tariff of friendship between princes.

“ In fine, France, after her long agitations, has need of such a colony for her internal pacification ; it will be to our country what a century ago were to England the plantations, which the emigrants from the three kingdoms raised to so high a degree of prosperity ; it will relieve us of a part of the evils caused by the revolution ; it will be an asylum for our political and religious dissidents ; a supreme conciliator of all the parties into which we are divided, you will there find the remedies, for which you search with so much solicitude.” pp. 293—297.

The deliberation lasted till late at night, and Bonaparte dismissed the ministers without making known his intentions. They passed the night at St Cloud, and very early in the morning the first consul sent for M. de Marbois, whom he requested to read the despatches just arrived from London. The ambassador had written, that an extraordinary activity prevailed in making preparations for war both by land and sea.

“ The English,” said Napoleon, “ demand of me Lampadosa, which I do not possess, and in the mean time they would hold Malta for ten years. This isle, in which military skill has exhausted all its resources in bringing the places of defence to such a degree of perfection as no one could conceive without having seen them, would be for the English another Gibraltar. To leave them there would be to give up to them the commerce of the Levant, and to take it from my southern provinces. They would keep this possession, and have me immediately evacuate Holland.

“ But we have no time now for uncertainties and deliberations. I renounce Louisiana. It is not only New Orleans that I will cede, it is the whole colony without reserve. I know the price of what I abandon, and I have given sufficient proof of the manner in which I esteem this province, since the object of my first diplomatic act with Spain was its recovery. I renounce it therefore with the greatest dissatisfaction. To be obstinate in attempting its preservation would be folly. I charge you to negotiate this affair with the envoys of Congress. Wait not even for the arrival of Mr Monroe. Open the subject this day to Mr Livingston ; but I have need of much money for this war, and I would not commence it by new contributions. It is a hundred years since France and Spain have been expending means for the me-

lioration of Louisiana, and commerce has never indemnified them. Sums have been lent to companies and agriculturists, which have never again been returned to the treasury. The price of all these things is justly due to us. If I were to regulate my conditions by the value of these vast territories to the United States, the indemnity would be without bounds. I will be moderate, by reason of the necessity I am under to make the sale. But observe well,—I will have fifty millions, and for less than that sum I will not treat; I would rather make some desperate effort to preserve those beautiful countries. To-morrow you shall have your full powers.” Here the new plenipotentiary made some observations of a general nature respecting the cession of the rights of sovereignty and the abandonment of what the Germans call *les Ames*, as whether these should be an object of contract of sale or of exchange. He received for answer,—“Be sure that you maintain in all its perfection the ideology of the right of nature and of nations; but I must have money to carry on a war against a nation who has the most of it. Send your doctrine to London; I am certain it would there be a subject of great admiration; and yet it seems not to be there much regarded, when the question is agitated of seizing the most beautiful countries in Asia.

“Perhaps also it will be objected, that the Americans will become too powerful for Europe in two or three centuries; but my foresight does not embrace these distant fears. Besides, one may expect hereafter rivalries in the bosom of the union itself. The confederations, which are called perpetual, will endure no longer than till the contracting parties shall find their account in breaking them; and it is against the present dangers, to which we are exposed by the colossal power of England, that I would provide a remedy. Mr Monroe is on the point of arriving. To this minister, coming two thousand leagues from his constituents, the president must have given, after having defined the object of his mission, secret instructions more extensive than the ostensible ones of Congress for the stipulated payments. Neither this minister, nor his colleague, will expect a resolution, which surpasses infinitely what they are about to demand of us. Begin with them, and come directly to the point of the negotiation. Inform me from day to day, from hour to hour, of the progress you make. The cabinet of London are acquainted with the resolutions at Washington, but they can have no suspicions of that which I am taking. Keep it a profound secret, and recommend the same to the American ministers. Their interest in it is not less than ours. Correspond with M. de Talleyrand, who alone knows my intentions. If I were to follow his advice, France would limit her ambition to the left bank of the Rhine, and would make war only to protect the feeble, and prevent being dismembered. But he ac-

knowledges also, that the cession of Louisiana is not a dismemberment of France. Be careful to inform me of the progress of this affair." ' pp. 298—301.

The French commissioner made no delay in commencing the negotiation with Mr Livingston, but that minister had not the necessary powers for treating in the manner proposed. He had been two years in Paris ; his attempts to gain the object of his mission had been unsuccessful ; he had been turned off with vague replies, and deceived with false hopes. It was not surprising, therefore, that he should have little confidence at this time in the advances of the French cabinet. Talleyrand's letter, and the overture made by Marbois, he considered as equally an artifice to gain time and tranquillize the excited feeling, which began to show itself with so much warmth in the United States. He accordingly avoided coming to any decided points on the subject, till Mr Monroe's arrival, and even then he relied so little on the sincerity of the French councils, that, in a letter to Mr Monroe at Havre he expressed his opinion, that the best means of ensuring success would be the certainty of the United States' having already taken possession of New Orleans. When Mr Monroe arrived in Paris, Mr Livingston said to him, ' I could wish the proposition made by Mr Ross to the Senate had been adopted ; I am almost certain we shall never obtain New Orleans by negotiation. We must employ force. Let us first take possession, and negotiate afterwards.' But Mr Monroe, since he had not the same prepossessions to combat, nor the same reasons for distrust, found it less difficult to convince himself that the French commissioner was in earnest. A mutual confidence was immediately established ; no other preliminaries were necessary, and the negotiation was entered upon without delay.

The American plenipotentiaries felt themselves under much embarrassment. They had not been authorized to treat for anything more than New Orleans, and that portion of Louisiana situate on the east side of the Mississippi. For this cession it was proposed to offer two millions of dollars. The project of procuring the entire colony seems never to have been contemplated, or even thought of. At least there was no provision to this effect in the instructions to the plenipotentiaries. Hostilities were on the point of breaking out between France and England ; the treaty, if made at all, must be closed before that event ; no time could be allowed to apply to

the American government for more ample instructions, and there was an absolute necessity for the plenipotentiaries to act with such powers as they possessed, or forego the opportunity of making a negotiation of immense importance to the United States, and which, considering the state of France at that moment, could certainly never again be commenced under circumstances so favorable. These considerations brought the plenipotentiaries to a speedy decision to treat for Louisiana in its fullest extent, and submit the result of their proceedings for the approbation of Congress and the nation.

The negotiation divided itself into three parts, namely, the cession, the price to be paid for it, and the indemnity for the claims of the citizens of the United States against France. These three objects were considered separately, and it was agreed, that a distinct treaty should be made for each.

The particulars of the cession were first discussed. Each party drew up a project as the basis of a treaty for this purpose, but that of the French negotiator was adopted as the text by which the conferences were to proceed. The chief difficulties of this part of the negotiation were in fixing the limits. Maps were examined, charters perused, ancient treaties consulted, but all these only served to increase the despair of the negotiators, and to convince them that they were searching for a thing that had never existed. No one could tell, or even conjecture, where were the western boundaries of Louisiana; and for a very good reason,—they had never been defined. Those regions were as little known as the centre of Africa. The negotiators had the wisdom, therefore, to abandon a search, which only led them more and more into the dark. To solve the difficulty in the shortest way, the American plenipotentiaries proposed to insert the third article of the treaty of St Ildephonso, by which Spain agreed to cede to France the province of Louisiana such as it was in the hands of Spain at the date of the treaty. This was leaving the utmost latitude of construction, and opening the door to a tangled discussion between the United States and Spain, which, in due time, this latter power took care to revive. It was nevertheless obvious that no better plan could be devised by the plenipotentiaries. Upon this clause M. de Marbois observes; ‘ambiguous terms should never be introduced into treaties, yet in the present instance the American plenipotentiaries made no objection; and if, in appearing to resign themselves to general expressions

through necessity, they considered this in effect preferable to more precise stipulations, it must be confessed the event justified their foresight. The shores of the Western ocean were certainly never meant to be comprised in the cession, yet the United States are already established there.' The point of this sentence is not perhaps strictly correct to the full extent in which the author would have it understood. It must be remembered, that the United States had claims growing out of the right of discovery at the mouth of the Columbia river, and that their possession of the territory in that quarter was not in consequence solely of the cession of Louisiana. When this obscurity in the article on the limits, and the inconveniences that might arise from it, were mentioned to the first consul, he replied, 'If there were no obscurity, it might perhaps be good policy to put it there.' M. de Marbois doubts the wisdom of this maxim, and adds, that although circumstances may sometimes render such a case necessary, yet sound policy disavows all obscure stipulations.

The third article of the treaty was drawn up by Bonaparte himself. It stipulates, that, 'the inhabitants of the ceded territories shall be incorporated into the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of the citizens of the United States; and in the mean time they shall be maintained and protected in the enjoyment of their liberty and property, and in the exercise of the religion which they profess.' This cession was to produce a most important change in the constitution and laws of Louisiana, and in the condition of the people; and it was considered a duty, it seems, on the part of the French government, to make the best provision possible for the security of the rights and privileges of the inhabitants, whose destiny was thus decided by the single act of a power on another continent. In alluding to the above article, M. de Marbois says, 'The first consul, left to his natural dispositions, was always inclined to the side of an elevated justice and generosity. He himself prepared the article in question. The words which he used on that occasion were entered on the journal of the negotiation, and they deserve to be perpetuated. 'Let the Louisianians know,' said he, 'that we separate ourselves from them with regret, that we stipulate in their favor everything which they can desire; and hereafter, happy in

their independence, may they remember that they have been Frenchmen, and that France, in ceding them away, has secured to them advantages, which they never could have obtained under a metropolitan government in Europe, however paternal it might have been. Let them preserve for us, therefore, sentiments of affection; and may their common origin, relationship, language, and manners perpetuate the ties of friendship.'

The other articles of the treaty of cession were in their order discussed and adopted.

The negotiations came next to the second treaty, which relates to the amount of money to be paid by the United States. Bonaparte, as we have seen, fixed this sum at fifty millions of francs, but the negotiator deemed this amount much too small. Without consulting further with the first consul on this subject, M. de Marbois first spoke of a hundred and twenty millions as the probable value of the ceded territory, but the definite sum, which he proposed, was eighty millions. 'Our citizens,' observed Mr Livingston, 'have an extreme aversion to public debts, and how can we, without incurring disgrace, charge them with the enormous contribution of fifteen millions of dollars?' This was not, perhaps, a very easy point to settle by any of the common modes of valuing property. The sovereignty of a people, the works and fortifications heretofore built at the public charge, and the right to a territory undefined, but of almost immeasurable extent, were to be exchanged for a specified quantity of gold or silver. How to measure this quantity with much approach to exactitude, might well have puzzled the science of more adroit and practised financiers than our negotiators may be supposed to have been. The American plenipotentiaries at last agreed to the eighty millions, reserving the condition that twenty millions of this amount should be appropriated in payment of the claims held by the citizens of the United States against France.

M. de Marbois supposes, that the American ministers fixed upon this round sum of twenty millions with the expectation, that a reduction in the amount would be demanded. But no discussion of this nature took place. It was immediately conceded, that twenty millions should be deducted as an indemnity for such captures as should be proved to be real. 'The intention to extinguish all past claims,' says he, 'was sincere on both parts. The gross sum of twenty millions

was evidently an estimate formed on reasonable conjectures, and could not be an absolute result established on accurate knowledge. But the American plenipotentiaries agreed in opinion, that if there was any difference, it rather exceeded than fell short of the exact amount; and the French negotiator gave an assurance, that, in case of an excess, no part of it should be reclaimed by France.' This important part of the negotiation was thus amicably settled.

The third treaty, defining the mode of payment, was attended with some difficulties, and was unfortunately not very successful in its execution, by not having provided for a *pro ratâ* division of the money among the claimants, according to the principle afterwards followed in liquidating the Spanish claims.

'The first consul,' says M. de Marbois, 'had followed with a lively interest the progress of the negotiation. It will be recollected, that he had announced fifty millions as the sum for which he would make the cession, and it is believed he did not expect a larger amount. He learnt that eighty millions had been agreed to, but that it had been reduced to sixty, by the amount withdrawn to extinguish the debt of France to the Americans. Forgetting, or feigning to forget, the sum he had mentioned, he replied with vivacity to the French minister; "I would have these twenty millions rendered to the treasury. Who has authorized you to dispose of the effects of the state? The rights of the claimants should be second to our own." This first excitement was calmed, when he was reminded of his previous consent to treat for a sum much less, and that the treasury would receive one much larger, without comprehending the twenty millions of indemnity for captures. "It is true," he rejoined, "the negotiation has left me nothing to desire. Sixty millions for an occupation, which will endure perhaps only for a day! I would have France enjoy this unexpected capital, and profit by it in her marine." At that moment he dictated a decree for the execution of five canals, the projects of which had occupied him for some time. But other cares caused him in a few days to forget this decree. The following words indicate the thoughts of the first consul at that time. "This cession of territory," said he, "confirms for ever the power of the United States, and I have just given to England a maritime rival, that will humble her pride."'

'The acquisition of Louisiana,' adds M. de Marbois, 'that of the Floridas, and the extinction of certain grants and original titles, have cost the United States about a hundred and sixty millions of francs. The territories acquired contain three hun-

dred millions of acres. About eighteen millions only have been sold. That which remains unsold will, in less than a century, be worth many thousand millions to the United States. The value of these lands when in the possession of individuals is not to be calculated.

‘The cession of Louisiana was followed by judicious and enterprising explorations. Expeditions were fitted out by Congress, and others were undertaken by private travellers and merchants. They arrived at the shores of the West, across a country till that day unknown to civilized people. They found hospitable and pacific nations, and they met with no obstacles except those of nature. These regions are more extensive, than the previous territory of the whole of the United States. There is space for numerous republics, and ages will pass before population and civilization will there arrive at their full developement. It would be idle to examine what form of government will be adopted by these societies; what ties will unite them, either among themselves, or with a metropolis. It is enough to foresee, that they will be formed on the model of the United States, that they will be certainly happy, and that the new world will see, what the old has never seen, societies founded for the advantage of all the members, and not for that of the founders alone, either to augment their riches, increase their power, or feed them with vain glory. Even should they detach themselves from the confederation, they will remain united by the preserving laws of peace, and by all that assures public felicity.’ pp. 316, 334.

In the fourth and last part of his work, M. de Marbois continues the history of the chief events in Louisiana down to the close of the late war, with remarks on the changes in its form of government, and its political and civil condition. He also mentions the fact, which we believe has never before been published, that, after Mr Monroe’s mission was known in England, the British ministry proposed to Mr King, the American minister then in London, to join with the United States in taking possession of Louisiana. Mr King’s letter to the American plenipotentiaries in Paris, informing them of this overture, arrived a short time after the signing of the treaty. It was proposed on the part of England to cede Louisiana to the United States, after it should be taken, but there seems to have been no hint as to the terms of the cession.

From the long extracts with which we have indulged our readers, they will be able to form an idea of the character and spirit of M. de Marbois’ performance. The outline which we have drawn, however, does very scanty justice to the merits of

the whole work, which, we repeat, is, in our judgment, the best that has recently appeared, either at home or abroad, on some of the most important topics of American history and politics. If we do not agree with all the author's opinions, we cannot but accord to him unqualified praise for his fairness, liberality, good judgment, and enlightened views. The volume will be a treasure among the historical annals of the country. We are glad to know that a translation of it, by a competent hand, is in progress at Paris, and will speedily be published in the United States.

ART. VIII.—*Pelham ; or the Adventures of a Gentleman.* In two vols. 12 mo. New York. 1828.

INSTEAD of giving our readers the trouble or the privilege, whichever they might consider it, of reading two or three leaves of speculation about novels in general, and this in particular, we will make the author supply an introduction from his two first chapters, which, besides being the key of some subsequent parts of his story, will, we think, bear reading two or three times, and so will be as acceptable to those who have read the work but once, as anything we could say, and probably more so to such as have not read it at all. It will be perceived that Mr Henry Pelham, the hero of the story, is speaking.

‘I am an only child. My father was the younger son of one of our oldest earls, my mother the dowerless daughter of a Scotch peer. Mr Pelham was a moderate whig, and gave sumptuous dinners ; Lady Frances was a woman of taste, and particularly fond of diamonds and old china.

‘Vulgar people know nothing of the necessities required in good society, and the credit they give is as short as their pedigree. Six years after my birth, there was an execution in our house. My mother was just setting off on a visit to the duchess of D—— ; she declared it was impossible to go without her diamonds. The chief of the bailiffs declared it was impossible to trust them out of his sight. The matter was compromised ; the bailiff went with my mother to C——, and was introduced *as my tutor*. “A man of singular merit,” whispered my mother, “but *so shy!*” Fortunately the bailiff was abashed, and by losing his impudence he